

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action mailed June 5, 2006. At the time of the Final Office Action, Claims 21-25 were pending in the Application. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Double Patenting Rejection

Claims 21-25 of the present application are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 25-28 U.S. Patent No. 6,260,070 issued Shah in view of US. Patent No. 6,256,675 issued to Rabinovich. Applicant has submitted a Terminal Disclaimer, which is appended to this response, in order to overcome the nonstatutory double patenting rejection. Applicant respectfully requests that the rejection be withdrawn.

Filing of the Terminal Disclaimer should not be construed as an agreement with or an acquiescence to the propriety thereof. Applicant has only filed such an item in order to advance prosecution in this case. Applicant reserves the right to comment on the appropriateness of the Terminal Disclaimer at a future time, should Applicant deem it appropriate to do so. The claims are in condition for immediate allowance; notice to this effect is respectfully requested in the form of a full allowance of the pending claims.


CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

The Commissioner is hereby authorized to charge the \$130.00 filing fee for the Terminal Disclaimer and any additional amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact its attorney at the number provided below.

Respectfully submitted,
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